



UNIVERSITY OF TORONTO  
FACULTY OF LAW

BORA LASKIN LAW LIBRARY



3 1761 10077588 1

# INTERNATIONAL TRADE REGULATION

Volume 3

2016-2017

Michael Trebilcock

STORAGE

K  
3842  
.T733  
2016  
v.3  
c.1

BORA LASKIN LAW LIBRARY

AUG 11 2016

FACULTY OF LAW  
UNIVERSITY OF TORONTO

# **INTERNATIONAL TRADE REGULATION**

**Volume 3**

**2016-2017**

Michael Trebilcock



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

[https://archive.org/details/internationaltra03treb\\_10](https://archive.org/details/internationaltra03treb_10)

# INTERNATIONAL TRADE REGULATION

2016-2017

Michael Trebilcock

## VOLUME 1

### 1) The Evolution of Trade Theory and Policy

Michael J. Trebilcock, *Advanced Introduction to International Trade Law*, (Edward Elgar, 2015) (hereinafter Trebilcock *op. cit.*), Chapter 1

Michael Trebilcock, "Critiquing the Critics of Economic Globalization" (2005) 1:1-2 J Intl L & Int Rel 213. 1 – 1

Dani Rodrik, *The Globalization Paradox*, (W.W. Norton & Company, Inc., 2011), Introduction; Chapter 12. 1 – 27

Ha-Joon Chang, *Bad Samaritans: The Myth of Free Trade and the Secret History of Capitalism*, (Bloomsbury Press, 2008), Chapter 1; Chapter 3. 1 – 52

Justin Y. Lin, *The Quest for Prosperity: How Developing Economies Can Take Off* (Princeton University Press, 2012), pages 237-250. 1 – 73

Joseph E. Stiglitz, *Making Globalization Work*, (W.W. Norton & Company, Inc., 2006), Chapter 1. 1 – 81

### 2) Dispute Settlement and Institutional Infrastructure

Trebilcock, *op. cit.*, Chapter 2

Kara Leitner and Simon Lester, "WTO Dispute Settlement 1995-2015: A Statistical Analysis," *Journal of International Economic Law* (2016): 1-12. 2 – 1

WTO, "Understanding on Rules and Procedures Governing the Settlement of Disputes," in *The WTO Dispute Settlement Procedures* (Geneva: World Trade Organization, August 1995) 2 – 13

Joost Pauwelyn, "The Transformation of World Trade" 104 *Michigan Law Review* (2005): 1-65. 2 – 33

### 3) Non-Discrimination: The Most Favoured Nation Principle and Preferential Trade Agreements

Trebilcock, *op. cit.*, Chapters 3 and 4

WTO, *European Communities – Conditions for the granting of Tariff Preferences to Developing Countries*, Report of the Appellate Body (2004) [EU-India dispute] 3 - 1

Adrian M Johnston & Michael J. Trebilcock, "The Proliferation of Preferential Trade Agreements: The Beginning of the End of the Multilateral Trading System?" in Stephan Schill, ed, *Preferential Trade and Investments* (Baden – Baden: Nomos, 2013), pp. 243 – 267. 3 – 42

"The ABCS of TPP", *The Globe and Mail*, (January 25, 2016): <http://www.theglobeandmail.com/report-on-business/international-business/what-is-tpa-understanding-the-new-pacific-trade-deal/article26648948/> 3 – 68

Dan Ciuriak, Ali Dadkhah & Jingliang Xiao, "Better In than Out? Canada and the Trans-Pacific Partnership", C.D. Howe Institute E-Brief (April 21, 2016) 3 – 79

#### 4) Non-Discrimination: The National Treatment Principle

Trebilcock, *op. cit.*, Chapter 5

WTO, *Japan – Taxes on Alcoholic Beverages*, Edited Appellate Body Report (1996). 4 – 1

WTO, *European Communities – Measures Affecting Asbestos and Asbestos Containing Products*, Edited Appellate Body Report (2000), paras. 1-154. 4 – 14

#### 5) Anti-Dumping Laws

Trebilcock, *op. cit.*, Chapter 6

WTO, *United States - Continued Dumping and Subsidy Offset Act of 2000*, Appellate Body Report Summary (2002). 5 – 1

WTO, *United States - Continued Dumping and Subsidy Offset Act of 2000*, Recourse to Arbitration by the United States under DSU Article 22.6 Summary (2004). 5 – 17

#### 6) Subsidies and Countervailing Duties

Trebilcock, *op. cit.*, Chapter 7

*Certain Softwood Lumber Products from Canada*, Decision of the Binational Panel of Remand (1993) 6 - 1

*Certain Softwood Lumber Products from Canada*, Extraordinary Challenge Committee (1994), views of Dissenting Member Wilkey 6 – 20

"Indepth: Softwood Lumber Dispute," *CBC News Online* (April 28, 2006), [http://www.cbc.ca/news/background/softwood\\_lumber/](http://www.cbc.ca/news/background/softwood_lumber/). 6 – 25

Karen Cross, "King Cotton, Developing Countries and the 'Peace Clause': The WTO's *US Cotton Subsidies* Decisions," 9 *Journal of International Economic Law* (2006): 149-195. 6 - 30



Brendan McGivern, *WTO Appellate Body Report: United States – Subsidies on Upland Cotton*, Summary (2008). 6 – 77

## **VOLUME 2**

### **7) Safeguards and Adjustment Assistance**

Trebilcock, *op. cit.*, Chapter 8

A. Sykes, “The Persistent Puzzles of Safeguards: Lessons from the Steel Dispute” 2004 7 *Journal of International Economic Law* 523. 7 – 1

WTO, *United States – Safeguard Measures on Imports of Fresh, Chilled, and Frozen Lamb Meat from New Zealand and Australia*, Report of the Appellate Body (2001) 7 – 26

### **8) Trade in Agriculture**

Trebilcock, *op. cit.*, Chapter 9

Michael J. Trebilcock and Kristen Pue, “The Puzzle of Agricultural Exceptionalism in International Trade Policy” 18:2 *Journal of International Economic Law* (2015): 233 – 260. 8 – 1

### **9) Trade in Services**

Trebilcock, *op. cit.*, Chapter 10

Simon Lester et al., *World Trade Law: Text, Materials and Commentary* (Portland: Hart Publishing 2008), 597-631. 9 – 1

WTO, *GATS — Fact and Fiction* (2001), a booklet published by the WTO Secretariat 9 – 19

Brendan McGivern, "WTO Appellate Body Report: Argentina - Financial Services" (April 21, 2016) 9 – 36

### **10) Trade-Related Intellectual Property Rights (TRIPS)**

Trebilcock, *op. cit.*, Chapter 12.

WTO, *Canada-Patent Protection of Pharmaceutical Products*, Report of Panel (2000) 10 – 1

WTO – “ <i>Declaration on the TRIPS Agreement and Public Health</i> ,” Ministerial Declaration, WT/MIN (01)/DEC/W/2, 14 November 2001	10 – 31
WTO – “ <i>Implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and public health</i> ,” Decision of the General Council, WT/L/540, 8/30/2003.	10 – 33
Alan Sykes, “TRIPS, Pharmaceuticals, Developing Countries and the Doha ‘Solution,’” <i>Chicago Journal of International Law</i> 3 (2002): 47-68.	10 – 38
Peter Drahos and John Braithwaite, <i>Information Feudalism</i> (New York: New Press, 2003) 137-149.	10 – 50

### **VOLUME 3**

#### **11) Trade-Related Investment Measures (TRIMS)**

Trebilcock, *op. cit.*, Chapter 11.

Elhanan Helpman, <i>Understanding Global Trade</i> (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2011) 126-165.	11 – 1
Gus Van Harten, "Five Justifications for Investment Treaties: A Critical Discussion" 2:1 <i>Trade, Law &amp; Development</i> (2010): 1-32	11 – 21

#### **12) Trade, Health and Safety**

Trebilcock, *op. cit.*, Chapter 13.

Cary Coglianese, et al, “Consumer Protection in an Era of Globalization,” in Cary Coglianese et al, eds., <i>Import Safety: Regulatory Governance in the Global Economy</i> , (Philadelphia: University of Pennsylvania Press, 2009): 3-21.	12 – 1
---	--------



Tracy Epps and Michael J. Trebilcock, “Import Safety Regulation and International Trade,” in Cary Coglianese, Adam Finkel, and David Zaring, eds., <i>Import Safety: Regulatory Governance in the Global Economy</i> , (Philadelphia: University of Pennsylvania Press, 2009): 69-87.	12 – 11
WTO, <i>EC Measures Concerning Meat and Meat Products (Hormones)</i> , Report of the Appellate Body (1997).	12 – 21
Brendan McGivern, “WTO Appellate Body Report: United States – Continued Retaliation in the Hormone Dispute,” (October 2008).	12 – 75
WTO, <i>United States - Measures Affecting the Production and Sale of Clove Cigarettes</i> , Appellate Body Report Summary (2012)	12 – 82
WTO, <i>United States- Measures Concerning the Importation, Marketing and the Sale of Tuna and Tuna Products</i> , Appellate Body Report Summary (2012).	12 – 108
WTO, <i>United States- Certain Country of Origin Labelling (COOL) Requirements</i> , Appellate Body Report Summary (2012).	12 – 131

### **13) Trade and the Environment**

Trebilcock, *op. cit.*, Chapter 14.

WTO, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products</i> , Edited Report of the Appellate Body (1998).	13 – 1
WTO, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products</i> , Recourse to Article 21.5 of the DSU by Malaysia (2002), paras. 1-11 and 79-154.	13 – 38
WTO, <i>Brazil – Measures Affecting Imports of Retreaded Tyres</i> , Report of the Appellate Body (2007).	13 – 76
WTO, <i>European Communities - Measures Prohibiting the Importation and Marketing of Seal Products</i> , Appellate Body Report Summary (2014)	13 – 139

### **Appendix**

The General Agreement on Tariffs and Trade	A – 1
--	-------

